

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

Case No. 2:23-CV-00059-M-RJ

DEBRA JOHNSON,

Plaintiff,

v.

MARTIN O'MALLEY,
Commissioner of Social Security,

Defendant.

ORDER

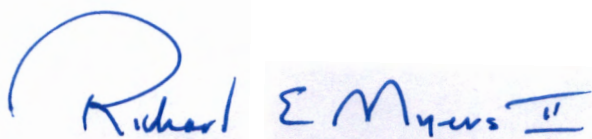
This matter comes before the court on a memorandum and recommendation (the "Recommendation") entered in this case by United States Magistrate Judge Robert B. Jones, Jr. on October 22, 2024 [DE 15]. In the Recommendation, Judge Jones recommends that the final decision of the Commissioner be affirmed. DE 15 at 1, 11. Neither party objected to the Recommendation. *See* Docket Entries dated October 22, 2024, to present.

A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the Recommendation and the record presented, and finding no clear

error, the court ADOPTS the Recommendation of Judge Jones as its own.¹ For the reasons stated therein, the final decision of the Commissioner is affirmed. The Clerk of Court is directed to close this case.

SO ORDERED this 2^d day of December, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE

¹ The court notes that several pages of the Recommendation are out of order. Page 7 of the Recommendation appears as a fifth page in CM/ECF, and the pages then proceed in order (skipping directly from page 6 to 8). See DE 15 at 5-8. This minor scanning issue has not interfered with the court's ability to review the substance of the Recommendation.